

#13 1638/1

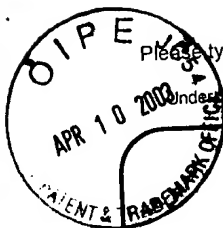
PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/970,624	
	Filing Date	10/4/01
	First Named Inventor	Wesley B. Bruce
	Group Art Unit	1638
	Examiner Name	A. Mehta
Attorney Docket Number	1264	
Total Number of Pages in This Submission	6	

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ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 6 IDS References
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Janice L. Rouse
Signature	<i>Janice L Rouse</i>
Date	April 7, 2003

CERTIFICATE OF MAILING

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PTO/ISB/17 (01-03)
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FREE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27
TOTAL AMOUNT OF PAYMENT (\$) 180

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number
16-1852

Deposit Account Name
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The Commissioner is authorized to: (check all that apply)
☒ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
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FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)		
1001	750	Utility filing fee	
1002	330	Design filing fee	
1003	520	Plant filing fee	
1004	750	Reissue filing fee	
1005	160	Provisional filing fee	
			(\$) 0

SUBTOTAL (1)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
	= 0	X	= 0
Independent Claims	= 0	X	= 0
Multiple Dependent		X	= 0

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)		
1202	18	Claims in excess of 20	
1201	84	Independent claims in excess of 3	
1203	280	Multiple dependent claim, if not paid	
1204	84	** Reissue independent claims over original patent	
1205	18	** Reissue claims in excess of 20 and over original patent	
			(\$) 0

SUBTOTAL (2)

**or number previously paid, if greater; For Reissues, see above

Complete if Known

Application Number 09/970,624
Filing Date 10/4/01
First Named Inventor Wesley B. Bruce
Examiner Name A. Mehta
Group / Art Unit 1638
Attorney Docket No. 1263

FEE CALCULATION (continued)

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)		
1051	130	Surcharge - late filing fee or oath or cover sheet.	
1052	50	Surcharge - late provisional filing fee or cover sheet.	
1053	130	Non-English specification	
1812	2,520	For filing a request for reexamination	
1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	Extension for reply within first month	
1252	410	Extension for reply within second month	
1253	930	Extension for reply within third month	
1254	1,450	Extension for reply within fourth month	
1255	1,970	Extension for reply within fifth month	
1401	320	Notice of Appeal	
1402	320	Filing a brief in support of an appeal	
1403	280	Request for oral hearing	
1451	1,510	Petition to institute a public use proceeding	
1452	110	Petition to revive - unavoidable	
1453	1,300	Petition to revive - unintentional	
1501	1,300	Utility issue fee	
1502	470	Design issue fee	
1503	630	Plant issue fee	
1480	130	Petitions to the Commissioner	
1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	Submission of Information Disclosure Stmt	
8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	Request for Continued Examination (RCE)	
1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

SUBTOTAL (3)

(\$) 180

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

Name (Print/Type) Janice L. Rouse

Signature

Registration No. Attorney/Agent 52,183

Telephone

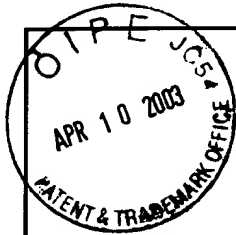
515-270-3599

Date

April 7, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.
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Serial No. 09/970,624; Attorney Docket No. 1263

1. Return postcard/ 1
2. Certificate of Mail (1 pg.)/ 1 copy
3. Transmittal (1 pg.)/ 1 copy
4. Fee Transmittal (1 pg.)/ 2 copies
5. Filing of an Information Disclosure Statement (2 pgs.)/1 copy
6. Form PTO-1449 (1 pg.)/ 1 copy
7. 6 References/ 1 copy of each

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First Named Inventor : Wesley B. Bruce
Application Number : 09/970,624
Filing Date : October 4, 2001
Title : A Nitrate-Responsive Root Transcriptional Factor

Group/Art Unit : 1638
Examiner : A. Mehta

Attorney Docket Number : 1263

#13/I.D.S

Assistant Commissioner for Patents
Washington, D.C. 20231

**FILING OF AN INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97(c)**

The attached list of citations is being submitted under the provisions of 37 CFR §1.56 and §1.97 in order to comply with the duty of disclosure. Their inclusion herein should not, however, be construed as an admission that any particular cited reference is effective prior art or that it discloses or renders obvious any aspect of the claimed invention.

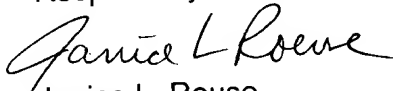
The references cited herein are listed on the enclosed PTO Form 1449.
Copies of each are enclosed.

This statement is being filed under the provisions of 37 CF. §1.97(c), before the mailing date of a final office action under §1.113, before the mailing date of a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, along with the authorization to charge the \$180.00 fee specified in 37 CFR §1.17(p) to the Deposit Account 16-1852.

Serial No. 09/970,624
Group Art Unit: 1638

Please charge any additional fees under 37 CFR §1.16 or §1.17 which may be required by this paper, or credit any overpayment to the indicated Deposit Account.

Respectfully submitted,


Janice L. Rouse
Agent for Applicant(s)
Registration No. 52,183

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Sheet 1 of 1

Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office

ATTORNEY DOCKET NO.

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1263

09/970,6

INFORMATION DISCLOSURE STATEMENT

BY APPLICANT

(Use several sheets if necessary)

APPLICANT

Wesley B. Bruce

FILING DATE

October 4, 2001

GROUP

1638

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U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
A6	US2003/0018995	1/23/03	Dresselhaus, et al.	800	287	3/22/02

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Subclass	Translation Yes	Translation No
A7	WO 01/12798	2/22/01	PCT	C12N	15/00	X
A8	WO 01/64924	9/7/01	PCT	C12N	15/82	X
A9	WO 01/12799	2/22/01	PCT	C12N	15/00	X
A10	WO 01/31017	5/3/01	PCT	C12N	15/29	X

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

A11	Wang, et al., "Nitrate-Induced Genes in Tomato Roots, Array Analysis Reveals Novel Genes That May Play a Role in Nitrogen Nutrition", <i>Plant Physiology</i> , September 2001, Vol. 127, pp. 345-359

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.